1	JOHN WOOD (Admitted <i>Pro Hac Vice</i> , 09/01/0	95)	
2	BRANHAM & DAY, P.C.		
3	5300 Maryland Way, Suite 300 Brentwood, TN 37027		
	Tel: (615) 742-4880		
4	Fax: (615) 742-4881 jwood@branhamday.com		
5			
6	Attorneys for Plaintiff THERESA MONSEUR-KELLY		
7			
8	THEO J. EMISON III (SBN 209183) EMISON ? HULLVERSON ? BONAGOFSKY I	LLP	
9	425 Pacific Ave.		
10	San Francisco, CA 94133 Tel: (415) 434-2111		
11	Fax: (415) 434-2112		
12	temison@ehblaw.com		
13	Proposed Local Counsel for Plaintiff THERESA MONSEUR-KELLY		
14			
15	UNITED STATES DISTRICT COURT		
	NORTHERN DISTRICT OF CALIFORNIA		
16	NORTHERN DISTRIC	CT OF CALIFORNIA	
16 17	NORTHERN DISTRICTURES A MONSEUR-KELLY,	CT OF CALIFORNIA Case No.: CV 05-02915 CW	
		Case No.: CV 05-02915 CW ASSIGNED TO THE HON. CLAUDIA WILKEN,	
17	THERESA MONSEUR-KELLY,	Case No.: CV 05-02915 CW	
17 18	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY	Case No.: CV 05-02915 CW ASSIGNED TO THE HON. CLAUDIA WILKEN, COURTROOM 2, 4 TH FLOOR ORDER GRANTING SUBSTITUTION	
17 18 19	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	
17 18 19 20	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT	Case No.: CV 05-02915 CW ASSIGNED TO THE HON. CLAUDIA WILKEN, COURTROOM 2, 4 TH FLOOR ORDER GRANTING SUBSTITUTION	
17 18 19 20 21	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION SYSTEMS, INC., and MDL DENTAL, LTD,	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	
17 18 19 20 21 22	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION SYSTEMS, INC., and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN,	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	
17 18 19 20 21 22 23	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION SYSTEMS, INC., and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN,	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	
17 18 19 20 21 22 23 24	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION SYSTEMS, INC., and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN,	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	
17 18 19 20 21 22 23 24 25	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION SYSTEMS, INC., and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN,	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	
17 18 19 20 21 22 23 24 25 26	THERESA MONSEUR-KELLY, Plaintiff, vs. UNUM LIFE INSURANCE COMPANY OF AMERICA, UNUMPROVIDENT CORPORATION, MDL INFORMATION SYSTEMS, INC., and MDL DENTAL, LTD, STD, LIFE, AD&D PLAN,	Case No.: CV 05-02915 CW Assigned to the Hon. Claudia Wilken, Courtroom 2, 4 th Floor ORDER GRANTING SUBSTITUTION OF LOCAL COUNSEL	

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BACKGROUND

Acting as local counsel for Plaintiff Theresa Monseur-Kelly, David Lilienstein of Bourhis & Wolfson filed the complaint herein on July 18, 2005.

John Wood of Branham & Day is Plaintiff's primary counsel, and was admitted *pro hac vice* on September 1, 2005.

Of the four named defendants, only three (Unum Life Insurance Company of America, UnumProvident Corporation, and MDL Dental, LTD, STD, Life, AD&D Plan) have been served with summons and complaint. None of those defendants has yet appeared in this action.

AGREEMENT FOR SUBSTITUTION OF COUNSEL

- 1. David Lilienstein of Bourhis & Wolfson agrees to withdraw as local counsel for Plaintiff.
- 2. Theo J. Emison of Emison, Hullverson & Bonagofsky LLP in San Francisco, California, agrees to substitute in as local counsel for Plaintiff.
- 3. Plaintiff Theresa Monseur-Kelly agrees to Mr. Lilienstein's withdrawal and Mr. Emison's substitution.
- 4. Plaintiff's primary counsel, John Wood of Branham & Day in Brentwood, Tennessee, agrees to Mr. Lilienstein's withdrawal and Mr. Emison's substitution.

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FILER'S ATTESTATION REGARDING NON-FILER SIGNATORIES

1	FILER 5 ATTESTATION REGARDING NON-FILER SIGNATORIES	
2	I, Theo J. Emison III, Esq., am a signatory to this Substitution and the attorney	
3	responsible for its filing. In accordance with General Order No. 45, Section X(B), I attest that I	
4	have obtained concurrence in the filing of this document from each of the other signatories	
5	listed below. I declare under penalty of perjury under the laws of the State of California and the	
6	United States of America that the foregoing is true and correct, and that this attestation was	
7	executed on October 5, 2005, in San Francisco, California.	
8	/s/ Theo J. Emison III, Esq.	
9	Theo J. Emison III	
0		
1	Dated: October 4, 2005 BRANHAM & DAY	
12		
13	By: /s/ John Wood, Esq.	
14	John Wood Attorneys for Plaintiff	
15	THERESA MONSEUR-KELLY	
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17		
18	Dated: October 4, 2005 BOURHIS & WOLFSON	
19		
20	By: /s/ David Lilienstein, Esq.	
21	David Lilienstein Current Local Counsel for Plaintiff	
22	THERESA MONSEUR-KELLY	
23		
24		
25	Dated: October 4, 2005 By: /s/ Theresa Monseur-Kelly Theresa Monseur Kelly	
26	Theresa Monseur-Kelly PLAINTIFF	
27		
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	3	

1	Dated: October 4, 2005	EMISON ? HULLVERSON ? BONAGOFSKY LLP
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3		By: /s/ Theo J. Emison III, Esq.
4		Theo J. Emison III Proposed Local Counsel for Plaintiff
5		THERESA MONSEUR-KELLY
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10		ORDER
11	Theo J. Emison III of Emison, Hullverson & Bonagofsky LLP is hereby substituted for	
12	David Lilienstein of Bourhis & Wolfson as local counsel for Plaintiff Theresa Monseur-Kelly i	
13	this matter.	
14		
15	Dated: October 11, 2005	/ / CL A LIDIA WILLIEM
13	Dated. October 11, 2003	/s/ CLAUDIA WILKEN
16	Dated. October 11, 2003	The Hon. Claudia Wilken
	Dated. October 11, 2003	
16 17 18	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21	Dated. October 11, 2003	The Hon. Claudia Wilken
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16 17 18 19 20 21 22 23	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21 22 23 24	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21 22 23 24 25	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21 22 23 24 25 26	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21 22 23 24 25 26 27	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21 22 23 24 25 26	Dated. October 11, 2003	The Hon. Claudia Wilken
16 17 18 19 20 21 22 23 24 25 26 27		The Hon. Claudia Wilken